

INTRODUCTION

In early October, Premier Pat Binns requested, through the Chair, that the Standing Committee on Agriculture, Forestry and Environment assume the lead role in examining the report of the Round Table on Resource Land Use and Stewardship, and that the Legislative Assembly become the forum in which the recommendations of the Round Table would be debated, directions determined and the necessary instruments for implementation approved. The process for dealing with the Round Table report was made public by Premier Binns on October 27, during a media conference also attended by Jamie Ballem, Chair of the Standing Committee and R. Elmer MacDonald, Chair of the Round Table.

The membership of the Standing Committee on Agriculture, Forestry and Environment is as follows:

Jamie Ballem, MLA, Stanhope - East Royalty, Chair
Hon. Chester Gillan, MLA, Parkdale - Belvedere
Hon. Mike Currie, MLA, Georgetown - Baldwin Road
Andy Mooney, MLA, Souris - Elmira
Jim Bagnall, MLA, Montague - Kilmuir
Norman MacPhee, MLA, Crapaud - Hazelgrove
Ron MacKinley, MLA, North River - Rice Point
Robert Maddix, MLA, Évangéline - Miscouche
Hector MacLeod, MLA, Alberton - Miminegash
Dr. Herb Dickieson, MLA, West Point - Bloomfield

The Standing Committee was assisted in its work by Jean-Paul Arsenault, Department of Agriculture and Forestry, and by Rochelle Gallant, Policy Secretariat. Coordination of department responses to Round Table recommendations was provided by the Senior Management Subcommittee, chaired by Leonard Cusack, Secretary to Policy Board. An overview of the process for implementing the Round Table report appears in Appendix 1 of this report.

SUMMARY OF WORK

The Standing Committee began its task by examining the report of the Round Table on Resource Land Use and Stewardship and, more specifically, the 87 recommendations contained therein. The Senior Management Subcommittee was asked to analyse the recommendations and to measure them against the following criteria: advisability, policy implications, additional resources required, timing and consultations required. Each recommendation was reviewed and analysed by the lead agency responsible and then assigned by the Senior Management Subcommittee to one of seven categories, as follows:

2.1 Category 1 - Recommend Implementation - No Significant Barriers Identified

Thirty-one recommendations fall in this category. All of them are considered advisable by the lead agencies, most of them are consistent with current Government policy, most of them can be implemented in short order and only a few require further consultation. Four depend to a degree on renewal of the Canada - Prince Edward Island Water Annex Agreement, while the other 27 can be accommodated at little or no increased cost.

2.2 Category 2 - Recommend Implementation - New Money Required

Fourteen recommendations involve new money. All of them are supported by the lead agency and most of them are consistent with current Government policy. The costs range from \$8,000 for a ground survey of Geographic Information System (GIS) accuracy to \$40 million for a five-year cost-shared agreement to succeed the Green Plan. Most recommendations could be implemented starting with the 1998-99 fiscal year, depending on the availability of funds and successful consultations with funding partners.

2.3 Category 3 - Recommend Implementation - New Legislation Required

Seven recommendations require new legislation: two depend on amendments to the *Environmental Protection Act*, one may require an amendment to the *Roads Act*, two depend on new legislation to create a Farm Practices Protection Act, one involves Bill 31, the proposed *Wildlife Conservation Act*, and one would require an amendment to the *Financial Administration Act*.

2.4 Category 4 - Recommend Implementation - Regulatory Change Required

Ten recommendations fall in this category: three involve changes to Environmental Protection Act Regulations on waste management and excavation pits, one is a change to the Real Property Tax Act Regulations, three involve the Planning Act Regulations, one involves the Forest Management Act Regulations and two involve designation of sites under the *Fish and Game Protection Act* and the *Natural Areas Protection Act*.

2.5 Category 5 - Implementation Delayed - Responsibility Shared With Outside Agency

Eleven recommendations require further consultations between Government and outside agencies. A number of these are directed at the farming community, involving such things as soil conservation systems and controlling spray drift. Two are directed at the Department of Fisheries and Environment and two involve the Forest Partnership Council; one involves the creation of a Special Planning Area in the greater Kensington area and points to the need for consultation with area residents.

2.6 Category 6 - Implementation Delayed - Further Evaluation Required

Eleven recommendations require further evaluation for various reasons. Two are particularly far-reaching: one calls for restricting potato production to land having less than a 9% slope, the other for a significant increase in the area of the Island which is zoned under a comprehensive land use plan. Recommendations in this category require extensive consultation with stakeholders, further internal review, or both.

2.7 Category 7 - Recommend Rejection

The Senior Management Subcommittee recommended that three recommendations be rejected, as they are not supported by the lead agency. All three involve changes to the Forestry Program: one would see a shift in nursery production and reforestation favoring more hardwood species, one would remove incentives for single-species and exotic plantations and the third would alter the conditions contained in agreements between Government and woodlot owners. Notwithstanding the lead agency's position on Recommendation #54 (refer to Appendix 1 and Appendix 2), the Standing Committee has decided to propose an alternative to the 25-year land owner commitment for subsidized forestry treatments.

A table listing the 87 recommendations, by category, appears in Appendix 2 of this report. The detailed review of each recommendation by the lead agency responsible appears in Appendix 3 of this report.

**PRIORIZATION
OF ROUND
TABLE
RECOMMEND-
ATIONS**

The Standing Committee on Agriculture, Forestry and Environment met on five occasions to work on the task assigned. It was decided that it would be impractical to consider all recommendations simultaneously. Consequently, members were asked to identify those recommendations which they felt should be given priority in the Standing Committee's report to the Legislative Assembly. Each recommendation identified in this manner was then examined by the Standing Committee in terms of the issue to be resolved and the solution required. In general terms, the Round Table's recommendations concerning soil and water quality were given highest priority.

3.1 Recommendations in Category 1

Following a review of the 31 recommendations in Category 1, the Standing Committee decided that all should be implemented by the lead agency responsible, as soon as possible. This decision of the Standing Committee is further outlined in the following draft resolution:

**Draft of a Resolution of the Legislative Assembly Respecting
Thirty-one Recommendations Contained in the Report of the
Round Table on Resource Land Use and Stewardship**

Whereas the report of the Round Table on Resource Land Use and Stewardship contains a number of significant recommendations involving the establishment of a system to measure progress on sustainable land use practices, based on a set of environmental indicators,

Whereas the report of the Round Table contains a number of other recommendations which are simple to implement,

Whereas the Standing Committee on Agriculture, Forestry and Environment has determined that 31 recommendations of the Round Table fall into these categories, namely recommendations 5, 11, 14, 21, 22, 28, 29, 30, 31, 32, 33, 34, 35, 36, 40, 41, 44, 45, 47, 48, 53, 57, 58, 71, 74, 77, 82, 83, 85, 86, and 87,

Whereas the Standing Committee on Agriculture, Forestry and Environment has determined that implementing these recommendations is considered advisable by the respective lead government agencies and is consistent with current government policy, that most require no additional financial resources and that most can be implemented immediately,

Now therefore be it resolved that the Legislative Assembly of Prince Edward Island supports the above-listed recommendations contained in the report of the Round Table on Resource Land Use and Stewardship and encourages the responsible Government agencies to proceed with their implementation immediately.

3.2 Recommendation #2 and Recommendation #7

Recommendations 2 and 7 of the Round Table report read as follows:

- 2. We recommend that the federal and provincial governments provide the necessary financial support so that farm organizations can promote the Environmental Farm Plan Initiative and offer plans to all farmers by the end of calendar year 2000.**
- 7. We recommend that the Department of Agriculture and Forestry complete work on the Soil Erosion Risk Index so that it is ready for use by the 1998 field season.**

The Standing Committee has chosen to prioritize these recommendations because it believes, as does the Round Table, that education and technical support to farmers are the keys to improving soil quality and the sustainability of all agricultural practices. Advice received from the Department of Agriculture and Forestry indicates that both recommendations should be implemented as soon as the necessary funds can be identified. The Standing Committee understands that funding to continue offering Environmental Farm Plan training to farmers is available through the Canada - Prince Edward Island Primary Resource Development Agreement. The Committee recommends that the Department secure funding to continue providing this training to farmers and that it proceed to develop the Soil Erosion Risk Index as soon as possible.

3.3 Recommendation #10

Recommendation 10 of the Round Table report reads as follows:

- 10. We recommend that the federal and provincial governments introduce a successor to the Green Plan to provide cost-shared technical and financial assistance for soil conservation projects. Program details must be developed in consultation with industry. Completion of an Environmental Farm Plan must be a pre-condition for funding, and assistance should be targeted to the following:**
 - C soil stabilization for fields in row-crop production;**
 - C establishment of hedgerows and shelter belts;**
 - C establishment of permanent vegetative cover in riparian (buffer) zones;**
 - C manure storage and handling systems;**

- C fencing and watering systems for livestock; and
- C establishment of permanent pasture, forest cover or other appropriate crops for land that has a slope of greater than nine per cent.

This recommendation calls for the development of a comprehensive soil and water conservation program to provide financial incentives to farmers willing to invest in better practices.

The Standing Committee has reviewed a preliminary program outline, including eligibility criteria and costs, prepared by the Department of Agriculture and Forestry. While the \$40 million estimate provided may constitute a reasonable ceiling from which to begin, it must surely be possible to achieve significant improvement in soil and water conservation practices with a far more modest investment of, say, one-half this amount. Respecting the Round Table's position that completion of an Environmental Farm Plan should be a pre-condition for funding, the Standing Committee believes this to be an unnecessary imposition, and an issue which will become redundant, through the passage of time.

The Standing Committee recognizes that the Green Plan is over and that the province, if it is to obtain federal government cooperation in this area, must begin negotiations anew. It is hoped that Canada and the farm community will agree to participate in the development of such a program and, through the following resolution, the Standing Committee asks that the Legislative Assembly make its position known.

**Draft of a Resolution of the Legislative Assembly Respecting
Recommendation #10 of the Report of the
Round Table on Resource Land Use and Stewardship**

Whereas the report of the Round Table on Resource Land Use and Stewardship recommends that the federal and provincial governments introduce a program to provide cost-shared technical and financial assistance for soil and water conservation,

Whereas the Round Table has recognized that financial incentives to the landowner must be included, together with education and enforcement, in any effort to improve soil quality,

Whereas the Government of Prince Edward Island and the Government of Canada have a history of successful cooperative agreements in the area of soil conservation through such mechanisms as the Green Plan,

Whereas the increase in soil conservation practices by Prince Edward Island farmers is attributable to past cooperative programs cost-shared between governments and the industry,

Whereas the Standing Committee on Agriculture, Forestry and Environment has reviewed preliminary plans for a comprehensive agreement on soil conservation,

Now therefore be it resolved that the Legislative Assembly of Prince Edward Island considers the negotiation of a federal-provincial agreement on soil conservation to be of the highest priority in terms of Government resource industry development initiatives and encourages the Minister of Agriculture and Forestry and the Minister of Fisheries and Environment to begin discussions with the federal government and the farm sector as soon as possible.

3.4 Recommendation #15

Recommendation 15 of the Round Table report reads as follows:

- 15. We recommend that Section 37 of the *Roads Act* be amended to establish a permanent “no-cultivation” zone within the public right-of-way and that the Department of Transportation and Public Works make every attempt to establish and maintain a permanent vegetative cover in ditches and along roadsides.**

There is some question as to whether or not an amendment is required to the *Roads Act* in order to establish a “no-cultivation” zone within the public right-of-way. The Standing Committee has asked the Minister of Transportation and Public Works to look into the matter and the Minister will present his findings to the Legislative Assembly during debate on this report.

3.5 Recommendation #16 and Recommendation #25

Recommendations 16 and 25 of the Round Table report read as follows:

- 16. We recommend that the *Environmental Protection Act* be amended to make it illegal for all forms of livestock to have access to watercourses and to travel within the designated riparian (buffer) zone.**
- 25. We recommend that the *Environmental Protection Act* be amended to establish mandatory riparian (buffer) zones adjacent to all watercourses, as follows:**
 - C having a minimum width of ten (10) metres, measured on the horizontal, from the edge of all intermittent streams and springs; and**

- C having a minimum width of twenty (20) metres and a maximum width of thirty (30) metres, depending on surrounding topography, measured on the horizontal, from the edge of all permanently flowing watercourses.

We further recommend that the crossing of riparian zones established adjacent to intermittent streams and springs be allowed during the dry season, but only by the owner of the land or the lessee, where this individual is engaged in farming or forestry operations, and only after the owner has first obtained a permit to do so under the provisions of Section 10 of the *Environmental Protection Act*. Blanket permission should be granted to certified forestry contractors who are in compliance with the Forest Contractors Code of Practice.

We further recommend that any activity permitted by law within the riparian (buffer) zone must not detract from its buffering ability, nor from the quality of wildlife habitat contained therein.

The Standing Committee has decided that, if it is to consult with the general public in a meaningful way on the issue of buffer zones, a more precise definition is required than the one contained in recommendation 25 of the Round Table report. In this regard, the Standing Committee has prepared a discussion paper on watercourse buffer zones; it is reproduced here in its entirety.

A DISCUSSION PAPER RESPECTING WATERCOURSE BUFFER ZONES

A. General intent and objectives

Buffer zones, in concert with other conservation practices, provide a transition area to protect surface water systems from the adverse effects of agriculture, road construction, forestry and other land development activities. Buffer zones are effective in the filtration, absorption and assimilation of the sediment, nutrients, bacteria and pesticides contained in surface runoff. In addition, buffer zones enhance the diversity of wildlife habitat and the variety of landscape. Buffer zones work best when integrated with other management practices, including crop rotation, residue management, terracing, strip cropping, mulching and cover cropping.

B. Definitions

For the purpose of interpreting this document:

- (a) "buffer", "buffer zone" or "buffer area" means a grassed or treed area that is effective in the filtration, absorption or assimilation of sediment, nutrients, bacteria and pesticides contained in surface runoff, measured from the bank of a stream channel or edge of a wetland;
- (b) "highway ditch" means a permanent, designed and constructed waterway, shaped, sized and lined with appropriate vegetation or structural material used to safely convey storm water run-off within and away from a highway or developing area;

- (c) "open feedlot" means a site where cattle are confined within a fenced area but outside of buildings, either part of the time or all of the time, and where all feed and water is delivered to the site;
- (d) "perimeter coastline" means that area of the outer coastline of Prince Edward Island where the Island landmass borders directly on waters of the Northumberland Strait and the Gulf of St. Lawrence;
- (e) "permanent forage" means a field on which only forages are grown and which is not tilled more frequently than once every 7 years;
- (f) "watercourse" means any stream, creek, brook, spring, or river with a definable sediment bed and/or continuous defined banks, which maintains continuous flow during any 72 hour period during the months of June, July, August, September or October as well as any permanent stream, lake, pond, bay, or estuary and includes associated fresh water marshes and salt marshes. Landlocked ponds and the perimeter coastline are excluded from this definition.

C. Buffer zones

Forested land cannot be converted to other uses:

- within 20 metres of a watercourse, where slope is 9% or less;
- within 30 metres of a watercourse, where slope is greater than 9%.

It is proposed that the following buffer zones adjoining all watercourses be established:

a) Standard 10 metre buffer:

It is proposed that a 10 metre buffer will be required along all watercourses and that the following conditions will apply:

- i) no tillage will be allowed;
- ii) no broadcast application of pesticides will be allowed; spot applications of pesticides will be allowed under permit for cases consistent with the buffer zone concept;
- iii) fencing of livestock will be required as follows:
 - 5 metres from the watercourse in pastures which are in permanent forage;
 - 10 metres from the watercourse in pastures which are not in permanent forage;
- iv) the 10 metre buffer zone may be utilized for forage crop production in those years that the adjacent field is not in row crop production, or may be planted, maintained or permitted to regenerate in trees and shrubs;
- v) forest management will be allowed within the 10 metre buffer in some circumstances (see Section F).

b) 20 metre buffer (standard 10 metre buffer plus an additional 10 metres)

It is proposed that a 20 metre buffer will be required where:

- i) agricultural land is in row crop production and where field slopes within 30 metres of the watercourse are 9% or less, or
- ii) cattle are housed in existing open feedlots.

It is proposed that the following conditions apply where a 20 metre buffer is required:

- i) no fall tillage is allowed;
- ii) row crop production is not allowed; where the area is not in trees, the additional 10 metres must be in grass during the row crop production year and may be used as a grassed headland; the grass cannot be mowed during the row crop production year;
- iii) where cattle are housed in existing open feedlots, fences must be constructed at least 20 metres from the edge of the watercourse;
- iv) a 20 metre buffer must be maintained on forested sites with slopes greater than 9%; some management practices will be allowed (see Section F).

Note: If adjacent fields are strip cropped and/or terraced in combination with other soil management practices approved by the Department of Agriculture and Forestry, the buffer may be reduced to the standard 10 metres.

c) 30 metre buffer (standard 10 metre buffer plus an additional 20 metres)

It is proposed that a 30 metre buffer will be required where agricultural land is in row crop production and where field slopes within 30 metres of the watercourse are greater than 9%.

It is proposed that the following conditions apply where a 30 metre buffer is required:

- i) no fall tillage is allowed;
- ii) row crop production is not allowed; where the area is not in trees, the additional 20 metres must be in grass during the row crop production year and may be used as a grassed headland; the grass cannot be mowed during the row crop production year.

Note: If adjacent fields are strip cropped and/or terraced in combination with other soil management practices approved by the Department of Agriculture and Forestry, the buffer may be reduced to 20 metres.

D. Highway construction and maintenance

It is proposed that the following soil conservation practices be established on public roads:

- a) Where roads intersect with watercourses, no ditching or excavation will be carried out:
 - i) within 10 metres of the watercourse where the slope of the road has a profile of 4% or less;
 - ii) within 20 metres of the watercourse where the slope of the road has a profile between 4% and 9%;
 - iii) within 30 metres of the watercourse where the slope of the road has profile of 9% or more.

A watercourse alteration permit will be required in these zones when ditching or excavation is proposed.

- b) On improved unpaved roads:

- i) check dams, silt traps and diversion ditches will be installed and maintained;
 - ii) hydro seeding of all existing bare soil ditches will be carried out within 2 years of the effective date of this policy;
 - iii) hydro seeding of all areas affected by ditch construction and maintenance will be carried out where the ditch slope profile is 4% or greater;
 - iv) ditch maintenance and construction will not be carried out between September 30 of a given year and March 30 of the following year; all bare soil will be stabilized by September 30 of each year.
- c) On unimproved roads, including scenic heritage and seasonal roads:**
- i) the travelled surface of the road within 100 metres of a watercourse will be covered and maintained with durable, non erodible material;
 - ii) wherever feasible and practical, diversion ditches will be constructed;
 - iii) grading and scraping operations will be followed immediately by compacting operations.

E. Proposed time frame

The initial thrust should not be on enforcement; rather the primary focus will be initially to provide information and public education. Therefore, the following enforcement schedule is proposed.

Year one: Focus on education and providing assistance to the farmer and/or property owner to determine exactly what he or she is expected to do.

Year two: An increase in emphasis on compliance; this will entail the issuance of warning tickets where necessary.

Year three: Full enforcement of the regulations.

This enforcement approach is not intended to interfere with situations where, due to special circumstances (eg. repeated warnings), charges may be warranted.

F. Management of forested stream buffers

a) The following definitions are proposed:

“heavy equipment” means equipment classified as excavators, mechanical harvesters, porters, skidders, wood processors, tractors over 50 horsepower, trucks and bulldozers. It excludes such equipment and other forms of wheeled and tracked equipment when it is being used in the active suppression of a wildfire;

“microsite site preparation” means the removal by manual or mechanical means of vegetated surface and duff layer of the soil so as to facilitate the planting and survival of trees and shrubs. This is normally restricted to a maximum site diameter of 60 centimetres;

“uniform removal” means the removal of stems evenly across the area to be thinned in a manner that is silvicultural appropriate for the species to be retained;

“wildfire” means an unplanned or unwanted nature or human-caused fire which has escaped control, is spreading in a manner that forest fire officials deem hazardous, or is being conducted contrary to the provisions of legislation.

b) Activities permitted within the forested watercourse buffer zone:

Pesticide application - no broadcast application;

Road construction - no roads to be built within 10 metres of a watercourse except by permit under the *Environmental Protection Act*; no ditch run-outs permitted within a band that is 10 metres from a watercourse plus 1.5 times the slope percent;

Stream crossings - to be constructed to an entrance size as determined by the Talbot formula (i.e., entrance area in sq. ft. = 0.2 times 4th root of the drained area in acres).

Harvesting is allowed within the buffer zone without a permit under the following conditions:

- i) no heavy equipment within 10 metres of the watercourse;
- ii) no soil exposure within 20 metres of the watercourse except at permitted road crossings, microsite preparation, or mechanical site preparation conducted under a permit and where 30% or more of the soil is exposed;
- iii) no brush from the harvest is to remain in the watercourse;
- iv) a maximum 35% basal area uniform removal every decade except in the following stand types:

- old field white spruce and balsam fir: clear cutting of stands (>35 years of age) is allowed (white pine, hemlock, red spruce and all hardwoods within the buffer are to be retained unless a permit has been issued for their removal) (age is determined at 1.3 metres above the ground);

Note: The retention of narrow buffers of old field white spruce or balsam fir in a buffer would increase blow down rates and cause trapping of excessive silt in the stream. As this would be detrimental to the trout and salmon utilization of this habitat, clear cutting older stands of these species within the buffer would be preferred over methods that accelerate blowdown;

- black spruce and larch (>40 years of age): maximum basal area removal is 50% every 25 years, preferably in strips 10 metres wide running at right angles to the watercourse (age is determined at 1.3 metres above the ground);

- v) where the volume to be removed is less than 2 cords per year on an individual property.

Note: All other harvesting within the buffer that exceeds 2 cords per year on an individual property will require a permit issued by the authority having jurisdiction.

To reiterate, the Standing Committee has included the discussion paper on watercourse buffer zones in this report to the Legislative Assembly because it believes the general public needs to understand what is being proposed, in far greater detail than what is contained in Bill 60, *An Act to*

Amend the Environmental Protection Act. The Standing Committee believes that the Legislative Assembly must debate the issue of watercourse buffer zones and that it must provide some direction to the Standing Committee on how best to consult with the public before a final decision is made. The Standing Committee does not want any legislation to be passed by the Legislative Assembly nor any regulation made by Order-in-Council, until a thorough and adequate public consultation has taken place.

The direction provided to the Standing Committee by the Legislative Assembly may take the form of:

- A bill amending the *Environmental Protection Act* to provide a new definition of watercourse and to include a new provision establishing mandatory buffer zones,

Or

- A bill amending the *Environmental Protection Act* to provide a new definition of watercourse and an enabling clause similar to Bill 60, accompanied by a draft set of Regulations, made under the *Environmental Protection Act*, establishing mandatory buffer zones,

And

- Draft Government policies respecting highway construction and maintenance, management of forested watercourse buffers, proposed time frame for implementing mandatory buffer zone and any other relevant matter which the Legislative Assembly wishes to put before the public for discussion.

3.6 Recommendation #46

Recommendation 46 of the Round Table report reads as follows:

- 46. We recommend that the Department of Agriculture and Forestry introduce a certification program for all those involved in the sale of home and garden pesticides. We also recommend that the Pesticide Certification Course for applicators of home and garden pesticides be upgraded and made mandatory for all employees, including temporary staff.**

The Standing Committee has been advised by the Department of Agriculture and Forestry that the first part of the recommendation calls for two amendments to the Pesticides Control Act Regulations:

- one which would add retailers of “Domestic” class pesticides to the list of those requiring a pesticide sales license;

- one which would exempt retailers of certain “Domestic” class pesticides, for example, those falling into the categories of household cleaners, aquarium and swimming pool bactericides and others presently contained in Section 1(f) of the Regulations.

The Department has advised that the second part of the recommendation also requires an amendment to the Pesticides Control Act Regulations, as well as the development of an upgraded course.

The Standing Committee recognizes that it will take time to upgrade the course and to make arrangements for some agency to deliver the course; it is also recognized that many retailers have already placed product orders for the 1998 sales season. The Minister of Agriculture and Forestry is requested to bring forward to Executive Council the necessary amendments to the Regulations as soon as possible, so that these can be made fully operational for the 1999 season, with adequate notice provided to affected businesses.

3.7 Recommendation #54

Recommendation 54 of the Round Table report reads as follows:

- 54. We recommend that the “twenty-five-year clause” contained in Forest Renewal Agreements which limits a landowner’s right to alter a silvicultural treatment that has received Government financial assistance be replaced by a clause requiring the owner to repay the full amount of the subsidy, plus interest, if the stand or plantation is destroyed prior to attaining maturity.**

After careful consideration, the Standing Committee has decided that requiring the owner to maintain a plantation or thinning to maturity would constitute an even more onerous limitation to the landowner’s right, as well as a greater barrier to replanting harvested sites. Therefore, the Standing Committee recommends that the Minister of Agriculture and Forestry change the present policy respecting landowner commitment, reducing the period from 25 years to 10 years, as it was during the 1980s. It is hoped that this change will encourage more landowners to participate in the reforestation program.

3.8 Recommendation #59

Recommendation 59 of the Round Table report reads as follows:

- 59. We recommend that Government work with residents, landowners and municipal governments within the greater Kensington area to develop a comprehensive land use plan. More specifically, the plan should include the area bounded by Malpeque Bay, New London Bay to the Stanley River, Highway 8 and Highway 1A; it should include zoning of all land; and it should become official by January 1, 2000.**

The Standing Committee supports the Round Table's finding that the greater Kensington area is one area of the province where land use conflicts constitute a serious threat to orderly development. However, this group lacks the necessary mandate from Government to act on the recommendation. The lead agencies identified, namely, the Department of Community Affairs and Attorney General and the Policy Secretariat are requested to prepare and present a detailed plan for implementing this recommendation to the Standing Committee on Community Affairs and Economic Development as soon as possible.

3.9 Recommendation #62 and Recommendation #67

Recommendations 62 and 67 of the Round Table report read as follows:

62. We recommend the creation of a Farm Practices Review Board. The Board, appointed by the Minister of Agriculture and Forestry, would include a majority of members nominated by the farm community as well as representatives of environmental groups, rural non-farm residents and municipal governments. The Board's mandate would include the following:

- C establishing terms of reference for codes of practice covering all agricultural activities carried out in the province;**
- C reviewing, approving and amending agricultural codes of practice submitted to the Board by farm organizations;**
- C acting as public mediator and appeal body to resolve complaints occurring as a consequence of farming practices; and**
- C recommending farm practices legislation to the Minister.**

Funding for the operation of the Farm Practices Review Board should be provided by the provincial government.

67. We recommend that Government direct the Farm Practices Review Board to complete the development of codes of practice for all significant agricultural operations carried out in the province by the year 2002.

The Standing Committee has carefully considered the recommendations calling for the creation of a Farm Practices Review Board and for the development of codes of practice for agricultural operations. The Federation of Agriculture has undertaken to develop draft farm practices legislation and recently reported its progress at a farm conference held in Kensington on October 28. It is further understood that the Federation intends to discuss a resolution supporting the need for farm practices legislation at its annual meeting in January. The Standing Committee asks that the Legislative Assembly recognize the significance of the Federation's initiative and indicate its support through the following resolution:

**Draft of a Resolution of the Legislative Assembly Respecting
Recommendations 62 and 67 of the Report of the**

Round Table on Resource Land Use and Stewardship

Whereas the Round Table on Resource Land Use and Stewardship has recommended the creation of a Farm Practices Review Board and the development by the Board of codes of practice for agricultural operations, and

Whereas the Federation of Agriculture has initiated its own discussion on the issue of farm practices legislation and codes of practice,

Now therefore be it resolved that the Legislative Assembly of Prince Edward Island supports the initiative of the Federation of Agriculture to develop guidelines for farm practices legislation and codes of practice for agricultural operations.

CONCLUSION

In the two and one-half months since the release of the report of the Round Table on Resource Land Use and Stewardship, there has been much public discussion about the solutions it proposes. Government has laid out the process it will follow in dealing with the report and has clearly identified the mandate of this Standing Committee and the preponderant role of the Legislative Assembly. In the short time provided, the Standing Committee has attempted to deal with the Round Table's 87 recommendations in a rational and organized fashion, with the assistance and advice of the lead Government agencies who have assumed responsibility for follow-up.

That the Standing Committee has chosen to address a total of 42 recommendations in this, its first report to the Legislative Assembly, is indicative of the importance of the task. The Standing Committee has chosen recommendations which are contentious and recommendations which are not. The Standing Committee seeks the direction of the Legislative Assembly and looks forward to consulting the general public on a number of issues over the coming months, the results of which will be reported when this House sits again in the spring of 1998.

Finally, the Standing Committee hopes the lead agencies responsible for the remaining 45 recommendations will continue to move forward and to report on progress to the Standing Committee. It is intended that the Standing Committee will exercise its authority to deal with these in due course.